

88

| | | | |
|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/559,757 | NISHIGAKI, TAKANOBU | |
| | Examiner | Art Unit | |
| | Robert Scruggs | 3723 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to 6/12/07.
- 2. ☒ The allowed claim(s) is/are 1.
- 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>1/12/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tracy Heims on August 2, 2007.

The application has been amended as follows:

In the claims:

Claim 2 (currently amended): A saw chain sharpener comprising:

- a sharpener body with an electric motor;
- a round shaft-shaped grinding tool attached to an end of the electric motor;
- a support member projected forward from the sharpener body;
- a projecting portion provided on a front end portion of the support member or on an attachment plate attached to the front end portion of the support member; and
- a holding plate attached forward of the saw chain sharpener and having a shape to be able to straddle and support an upper part of a saw chain, the holding plate having a vertical plate face having a long left-to-right length extending in a direction along the saw chain, an upper plate face placed on the upper part of the saw chain, and opposing vertical plate surfaces formed at leftward and rightward locations of the upper plate face; wherein

the holding plate is supported on the front end portion of the support member or on the attachment plate so as to be horizontally rotatable in a certain range for orientation to align with a sharpening angle of a cutter blade positioned left or right of the saw chain to grind the cutter blade;

the saw chain is clamped at both ends by a lower part face of the vertical plate face and the opposing vertical plate surfaces;

the upper plate surface of the holding plate has an opening formed at a center thereof so as to make it possible to watch the grinding tool and the cutter blade from above; and

the projecting portion having a thin width shape is aligned in height with the upper plate face of the holding plate, in which the projection portion fixes a cutting edge of the cutter blade to define an accurate cutting edge angle and presses an upper blade of the cutter blade from above to prevent the upper blade from wobbling caused by grinding.

2. Claim 2 has been amended to mitigate a minor informality, specifically claim 2 included a "period" after the word "and" in line 7 therefore the examiner properly deleted the "period" in order to place the application in condition for allowance.

3. The following is an examiner's statement of reasons for allowance: It is the examiner's opinion that the art of record considered as a whole, alone or in combination, neither anticipates nor renders obvious a projecting portion having a thin

Art Unit: 3723

width shape that presses on an upper portion of a cutter blade along with a holding plate that is horizontally rotatable for aligning with a sharpening angle of the cutter blade, together in combination with the rest of the limitations in the independent claim.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on January 12, 2006 is noted. The submission is in compliance with the provisions of 37 CFR 1.97 and 1.98. Accordingly, the information disclosure statement is being considered by the examiner.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Scruggs whose telephone number is 571-272-8682. The examiner can normally be reached on Monday-Friday, 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RS

Joseph J. Hail, III
Supervisory Patent Examiner
Technology Center 3700